

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2827-02
Bill No.: HB 1309
Subject: Requires the release of information regarding Class I standard violations by nursing homes to newspapers, radio stations, and television stations.
Type: Original
Date: January 11, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	(\$9,000)	(\$11,124)	(\$11,458)
Total Estimated Net Effect on <u>All</u> State Funds	(\$9,000)	(\$11,124)	(\$11,458)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services (DOS)** stated all responsibility for carrying out the provisions of this legislation rest with the Department of Health and Senior Services. Therefore, there is no fiscal impact to the DOS.

Officials from the **Department of Health and Senior Services (DOH)** assume the proposed legislation would require the DOH to issue a news release and send copies of the notice of noncompliance to nursing home advocate agencies when a long-term care facility is cited for a class I violation. The news release must be submitted to all radio and television stations that broadcast in Missouri and to all newspapers in the state with a minimum circulation of 10,000.

Each year, the DOH issues approximately 100 notices of noncompliance to long-term care facilities for class I violations. Currently, it costs the Department approximately \$108 to issue a news release (mail, e-mail or fax), so it would cost an estimated \$10,800 annually (100 x \$108) to issue the required news releases on these violations. It is anticipated that the staff time required to distribute the news releases and send copies of notices of noncompliance to nursing home advocate agencies would be handled by existing staff.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
GENERAL REVENUE			
<u>Costs - Department of Health and Senior Services</u>			
New Releases of Class I Violations	<u>(\$9,000)</u>	<u>(\$11,124)</u>	<u>(\$11,458)</u>
Total <u>Costs</u> - Department of Health and Senior Services	<u>(\$9,000)</u>	<u>(\$11,124)</u>	<u>(\$11,458)</u>
NET ESTIMATED EFFECT ON GENERAL REVENUE	<u>(\$9,000)</u>	<u>(\$11,124)</u>	<u>(\$11,458)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

This legislation may have an indeterminable economic impact on licensed long-term care facilities that are the subject of news releases concerning Class I violations.

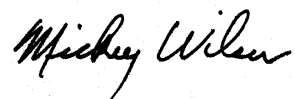
DESCRIPTION

The proposed legislation states that the general public shall have access to information by news release from the Department of Health and Senior Services of class I standards violation by nursing homes. The news release is to contain the specific class I violation, the date of occurrence, the facility in which the violation occurred, and a listing of other facilities administered, managed, or owned by the same health care provider. News releases are to be made by the department within thirty days of the substantiation of noncompliance. In addition, any person, official, institution, newspaper, radio station or television station which makes public the fact that a notice of noncompliance has been issued to a facility will have immunity from civil or criminal liability that otherwise might result by reason of such action.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Social Services
Department of Health and Senior Services



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